

AN ORDINANCE **99102**

DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF A PARCEL OF PROPERTY DESCRIBED AS LOT RED 3, BLOCK 16, NEW CITY BLOCK 2641 A/K/A 804 GREEN STREET IN COUNCIL DISTRICT 5, THAT IS BEING HELD IN TRUST BY THE CITY OF SAN ANTONIO AS A RESULT OF A TAX FORECLOSURE IN 1970, TO ROLANDO M. REYES AND NORMA M. REYES, ABUTTING PROPERTY OWNERS IN THE SUBDIVISION, FOR THE TOTAL AMOUNT OF \$4,494.00, WITH THE PROCEEDS TO BE DISTRIBUTED PROPORTIONALLY TO THE PROPER TAXING ENTITIES PURSUANT TO CHAPTER 34 OF THE TEXAS TAX CODE.

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WHEREAS, as a result of a tax foreclosure in 1970, the City of San Antonio has held in trust a parcel of property described as Lot RED 3, block 16, New City Block 2641 located at 804 Green Street; and Rolando M. Reyes and Norma M. Reyes, as Petitioners and abutting property owners have requested the right to purchase said lot for an appraised value of \$4,494.00 once it had been determined that this property was declared surplus to the needs of the City of San Antonio; and

WHEREAS, the Department of Asset Management canvassed all City departments to see if any department had a need for this property and no department expressed an interest in retaining this property thus the property is surplus to the City's needs; and

WHEREAS, pursuant to Chapter 34 of the Texas Tax Code, the proceeds received from the sale of this property will be distributed by the City's Finance Department to the taxing entities to pay for all the back taxes owed; and; and

WHEREAS, the Planning Commission, at its regular meeting on April 14, 2004 recommended the sale to the City Council and the City Council, following its regular meeting on April 22, 2004, approved such sale and staff recommends approval for the disposition of this property in order to restore it to the tax rolls; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The parcel of land located at 804 Green Street, legally described as Lot RED 3, Block 16, New City Block 2641, and more specifically identified in **Exhibit A** affixed hereto and incorporated herein verbatim for all purposes, which the City of San Antonio has held in trust as a result of a tax foreclosure in 1970 is hereby declared surplus to the needs of the City of San Antonio.

SECTION 2. Sale of the property referenced in **SECTION 1.** and identified in **Exhibit A**, is hereby authorized to Rolando M. Reyes and Norma M. Reyes, abutting property owners, for the total sales price of \$4,494.00, with the sales proceeds to be distributed to the proper taxing entities pursuant to Chapter 34 of the Texas Tax Code. The sale is contingent on the Petitioner's complying with the conditions set forth in a Letter Agreement signed by the Petitioner, a copy is attached hereto as **Exhibit B** and incorporated herein verbatim for all purposes.

SECTION 3. The City Manager, or her designee, is hereby authorized to implement this ordinance by the execution of any documents necessary to complete the transaction upon prior review of such documents in accordance with Section 54 of the City of San Antonio Charter.

SECTION 4. Upon the sale of the property located at 804 Green Street, the amount of \$4,494.00 shall be deposited and distributed as follows:

- a) The amount of \$1,887.48 shall be deposited in Fund No. 29-008000 (Special Revenue Reserve Fund) in Index Code 040337 entitled "Sale of Land" as the City of San Antonio's share of the total proceeds.
- b) The amount of \$1,213.38 shall be deposited in Fund No. 11-000000 (General Fund), subsidiary 218-240102 entitled "Collections Held In Trust-San Antonio Independent School District", for distribution to the San Antonio Independent School District of their share of the total proceeds.
- c) The amount of \$1,393.14 shall be deposited in Fund No. 11-000000 (General Fund), subsidiary 218-240103 entitled "Collections Held In Trust-Bexar County", for distribution to Bexar County of their share of the total proceeds.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

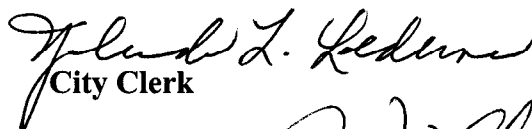
SECTION 6. This ordinance shall be effective on May 2, 2004.

PASSED AND APPROVED this 22nd day of April, 2004.

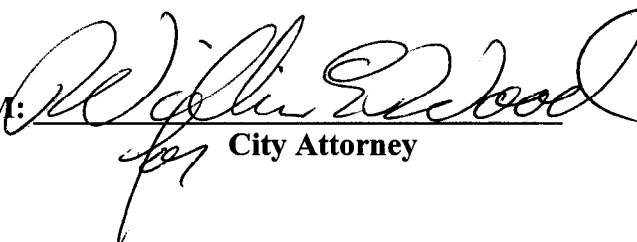


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney